**THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA**

**WRIT PETITION No.15678 of 2003**

**Dated : 25.07.2007**

**Between:**

M/s Jayalakshmi Traders.

**..... PETITIONER**

**And:**

The Secretary, Agricultural Market Committee,
Bhimavaram, West Godavari District and another.

**.....RESPONDENTS**

**THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA**

**WRIT PETITION No.15678 of 2003**

**ORDER:**

This writ petition is filed questioning the demand notice, dated 28.06.2003 issued by the first respondent, directing the petitioner to pay market fee on rice for the year 2002-2003, within a period of 15 days from the date of receipt of the notice, failing which, prosecution would be initiated against it under Section 23(1) of the Andhra Pradesh (Agricultural Produce & Livestock) Markets Act, 1966 (for short "the Act").

Heard the learned counsel for both the parties.

Admittedly, petitioner has a right of appeal under the Act against the impugned proceedings. Therefore, this Court is of the view that this writ petition is misconceived.

Accordingly, the writ petition is dismissed giving liberty to the petitioner to file an appeal before the appellate authority challenging the impugned proceedings, dated 28.06.2003, within a period of four weeks from today, and on such appeal being filed, the appellate authority shall entertain the same, without going into the aspect of limitation. There shall be no order as to costs.

_____

25.07.2007

Note : Furnish C.C. in two days.

(B/o)

sh